

C. AMENDMENTS TO THE CLAIMS

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

1. (original) A method for electronically transacting a trade between a commercial provider and a customer of a merchant, and for electronically paying all of the participants involved with enabling the transaction from the payment made by the customer in consideration of the trade, the method comprising:
 - entering into an agreement with the commercial provider to provide a good or service to a potential customer of the merchant for valuable or other consideration;
 - entering into an agreement with the merchant to offer the good or service of the commercial provider to its customers for valuable or other consideration;
 - electronically transacting with the customer of the merchant the provision of the good or service of the commercial provider to the customer;
 - using an electronic payment system to handle payment of a good or service of the commercial provider purchased by a customer of the merchant;
 - electronically authorising the provision of the good or service of the commercial provider upon confirmation of payment by the electronic payment system;
 - electronically distributing the valuable consideration in respect of the payment to the commercial provider, if applicable, in accordance with the agreement made with the commercial provider; and

- electronically distributing the valuable consideration in respect of the payment to the merchant, if applicable, in accordance with the agreement made with the merchant.

2. (original) A method according to claim 1, further comprising the steps of:

- entering into an agreement with a sponsor of a terminal device of the electronic payment system to use the terminal device in handling payment for a good or service of the commercial provider purchased by a customer of the merchant, agreement being provided in return for a prescribed proportion of the price of the good or service or fixed sum;
- electronically distributing the prescribed proportion or fixed sum of the payment to the sponsor of the terminal device in accordance with the agreement made with the sponsor of the terminal device.

3. (original) A method according to claim 1 where the step of using an electronic payment system to handle payment of a good or service of the commercial provider purchased by a customer of the merchant includes the sub-step of electronically drawing on an electronic bank account of the merchant to pay for the good or service of the commercial provider purchased by the customer.

4. (original) A method for electronically transacting a trade between a commercial provider and a customer of a merchant, and for electronically paying all of the participants involved with enabling the transaction from the payment made by the customer in consideration of the trade, the method comprising:

- entering into an agreement with the commercial provider to provide a good or service to a potential customer of the merchant for a prescribed proportion of the price of the good or service or for a fixed sum;

- entering into an agreement with a sponsor of a terminal device of an electronic payment system to use the terminal device in handling payment for a good or service of the commercial provider purchased by a customer of the merchant, agreement being provided in return for a prescribed proportion of the price of the good or service or fixed sum;
 - electronically transacting with the customer the provision of the good or service of the commercial provider to a customer of the merchant;
 - using the electronic payment system to handling payment of a good or service of the commercial provider purchased by a customer of the merchant;
 - electronically authorising the provision of the good or service of the commercial provider upon confirmation of payment by the electronic payment system;
 - electronically distributing the prescribed proportion or fixed sum of the payment to the commercial provider in accordance with the agreement made with the commercial provider; and
 - electronically distributing the prescribed proportion or fixed sum of the payment to the owner of the terminal device in accordance with the agreement made with the sponsor of the terminal device.
5. (currently amended) A method as claimed in claim 1 or claim 4, ~~any one of the preceding claims~~, wherein the terminal device is one of an EFT terminal, a mobile telephone or portable digital assistant.
6. (original) A method as claimed in claim 5, wherein the primary payment for the good or service is paid for by way of an electronic transfer of funds from the payment system associated with the EFT terminal.

7. (currently amended) A method as claimed in claim 1 or claim 4, ~~any one of the preceding claims~~, wherein the provider of the electronic authorising to the commercial provider for the provision of the good or service, the provider of the electronic transacting with the customer for the provision of the good or service to the customer, and the provider of the electronic distributing of the valuable consideration to the commercial provider and the merchant, if applicable, with the payment system, is the same provider.
8. (original) A method as claimed in claim 7, wherein the provider contracts with the merchant to pay the merchant a sales commission for a good or service that the merchant is able to sell or provide to a customer.
9. (original) A method as claimed in claim 7, wherein the merchant pays a fee to the provider for the provision of a good or service that adds value to the merchant's business.
10. (currently amended) A method as claimed in claim 7, ~~any one of claims 7 to 9~~, wherein the primary payment for the provision of a good or service is paid for by way of an electronic transfer of funds from a payment system associated with the business broker.
11. (currently amended) A method as claimed in claim 1 or claim 4, ~~any one of the preceding claims~~, wherein primary payment for the service or product may be paid for directly by the customer.
12. (currently amended) A method as claimed in claim 6, ~~any one of claims 6, 10 or 11~~, including the terminal device communicating the particular manner of the transacting payment to the provider, and the provider effecting the electronic distribution of the prescribed proportion based on the manner of such payment.

13. (currently amended) A method as claimed in claim 10, including the terminal device communicating the particular manner of the transacting payment to the provider, and the provider effecting the electronic distribution of the prescribed portion based on the manner of such payment. ~~A system for electronically transacting a trade comprising:~~

~~• a business broker who has entered into an agreement with:-~~

~~a. a commercial provider for the commercial provider to provide a good or service to a potential customer of a merchant for a prescribed proportion of the price of the good or service or for a fixed sum;~~

~~b. the merchant for the merchant to offer the good or service of the commercial provider to its customers for a prescribed proportion of the price of the good or service or fixed sum;~~

~~• an electronic payment system for handling payment of a good or service of the commercial provider purchased by a customer of the merchant where, the merchant authorises the provision of the good or service of the commercial provider upon confirmation of payment by the electronic payment system; and where the business broker receives the payment handled by the electronic payment system and electronically distributes the prescribed portion or fixed sum of the payment to the commercial provider in accordance with the agreement made with the commercial provider and electronically distributes the prescribed portion or fixed sum of the payment to the merchant in accordance with the agreement made with the merchant.~~

14. (currently amended) A method as claimed in claim 11, including the terminal device communicating the particular manner of the transacting payment to the provider, and the provider effecting the electronic distribution of the prescribed portion based on the manner of such payment. ~~A system for electronically transacting a trade according to claim 15 where the electronic payment system includes at least one terminal device.~~

15. (currently amended) A system for electronically transacting a trade comprising:

- a business broker who has entered into an agreement with:-
 - a. a commercial provider for the commercial provider to provide a good or service to a potential customer of a merchant for a prescribed proportion of the price of the good or service or for a fixed sum;
 - b. the merchant for the merchant to offer the good or service of the commercial provider to its customers for a prescribed proportion of the price of the good or service or fixed sum;
- an electronic payment system for handling payment of a good or service of the commercial provider purchased by a customer of the merchant

where, the merchant authorises the provision of the good or service of the commercial provider upon confirmation of payment by the electronic payment system; and where the business broker receives the payment handled by the electronic payment system and electronically distributes the prescribed portion or fixed sum of the payment to the commercial provider in accordance with the agreement made with the commercial provider and electronically distributes the prescribed portion or fixed sum of the payment to the merchant in accordance with the agreement made with the merchant.

~~A system for electronically transacting a trade according to claim 14 where the at least one terminal device is one of: EFT terminal; mobile phone; personal digital assistant.~~

16. (currently amended) A system for electronically transacting a trade according to claim 15 where the electronic payment system includes at least one terminal device.

~~A system for electronically transacting a trade according to claim 14 or claim 15 where the business broker has also entered into an agreement with an owner of the at least one terminal device to use the terminal device in handling payment for a good or service of the commercial provider purchased by a customer of the merchant, agreement being provided in return for a prescribed proportion of the price of the good or service or fixed sum and where the commercial provider electronically distributes the prescribed portion or fixed sum of the payment to the merchant in accordance with the agreement made with the merchant.~~

17. (currently amended) A system for electronically transacting a trade according to claim 16 where the at least one terminal device is one of: EFT terminal; mobile phone; personal digital assistant. ~~A system for electronically transacting a trade according to claim 13, where the electronic payment network draws on an electronic bank account of the merchant to pay for the good or service of the commercial provider purchased by the customer.~~

18. (currently amended) A system for electronically transacting a trade according to claim 16 where the business broker has also entered into an agreement with an owner of the at least one terminal device to use the terminal device in handling payment for a good or service of the commercial provider purchased by a customer of the merchant, agreement being provided in return for a prescribed proportion of the price of the good or service or fixed sum and where the commercial provider electronically distributes the prescribed portion or fixed sum of the payment to the merchant in accordance with the agreement made with the merchant. ~~A system for electronically transacting a trade comprising:~~

~~□ a business broker who has entered into an agreement with:-~~

~~a. a commercial provider for the commercial provider to provide a good or service to a potential customer of a merchant for a prescribed proportion of the price of the good or service or for fixed sum;~~

~~b. an owner of a terminal device of an electronic payment system to use the terminal device in handling payment for a good or service of the commercial provider purchased by a customer of a merchant, agreement being provided in return for a prescribed proportion of the price of the good or service or for a fixed sum;~~

- ~~• an electronic payment system for handling payment of a good or service of the commercial provider purchased by a customer of the merchant~~

~~where, the merchant authorises the provision of the good or service of the commercial provider upon confirmation of payment by the electronic payment system; and where the business broker receives the payment handled by the electronic payment system and electronically distributes the prescribed portion or fixed sum of the payment to the commercial provider in accordance with the agreement made with the commercial provider and electronically distributes the prescribed portion or fixed sum of the payment to the owner of the terminal device in accordance with the agreement made with the owner of the terminal device.~~

19. (currently amended) A system for electronically transacting a trade according to claim 15, where the electronic payment network draws on an electronic bank account of the merchant to pay for the good or service of the commercial provider purchased by the customer. ~~A system for electronically transacting a trade between a commercial provider and a customer of a merchant and for electronically paying all of the participants involved with enabling the transaction from the payment made by the customer in consideration of the trade, the system comprising:~~

- ~~• a host transaction engine for controlling electronic transactions between a business broker, a merchant, a customer of the merchant, a commercial service provider and a terminal device sponsor;~~

~~• a terminal device for connection to the host transaction engine, the terminal device being provided with the merchant and associated with a payment system established with the terminal device by a sponsor thereof for the purposes of performing electronic transactions in connection with the trade of the merchant; and~~

~~• a provider system for connection to the host transaction engine, the provider system being adapted to provide for communications between the host transaction engine and the commercial provider to enable the provision of a transacted service or product;~~

~~wherein the host transaction engine has enabling means to electronically enable the provision of the transacted service or product by the commercial provider in response to confirmation of the customer paying for the same; and~~

~~said host transaction means has paying means to electronically account for an distribute prescribed portions of funds to the commercial provider, the merchant and the business broker in accordance with predetermined contractual arrangements with these parties.~~

20. (currently amended) A system for electronically transacting a trade comprising:

• a business broker who has entered into an agreement with:-

a. a commercial provider for the commercial provider to provide a good or service to a potential customer of a merchant for a prescribed proportion of the price of the good or service or for fixed sum;

b. an owner of a terminal device of an electronic payment system to use the terminal device in handling payment for a good or service of the commercial provider purchased by a customer of a merchant, agreement being provided in return for a prescribed proportion of the price of the good or service or for a fixed sum;

- an electronic payment system for handling payment of a good or service of the commercial provider purchased by a customer of the merchant

where, the merchant authorises the provision of the good or service of the commercial provider upon confirmation of payment by the electronic payment system; and where the business broker receives the payment handled by the electronic payment system and electronically distributes the prescribed portion or fixed sum of the payment to the commercial provider in accordance with the agreement made with the commercial provider and electronically distributes the prescribed portion or fixed sum of the payment to the owner of the terminal device in accordance with the agreement made with the owner of the terminal device.

~~A system according to claim 19, where the terminal device is one of: EFT terminal; mobile telephone; personal digital assistant.~~

21. (currently amended) A system for electronically transacting a trade between a commercial provider and a customer of a merchant and for electronically paying all of the participants involved with enabling the transaction from the payment made by the customer in consideration of the trade, the system comprising:

- a host transaction engine for controlling electronic transactions between a business broker, a merchant, a customer of the merchant, a commercial service provider and a terminal device sponsor;
- a terminal device for connection to the host transaction engine, the terminal device being provided with the merchant and associated with a payment system established with the terminal device by a sponsor thereof for the purposes of performing electronic transactions in connection with the trade of the merchant; and
- a provider system for connection to the host transaction engine, the provider system being adapted to provide for communications between the host transaction

engine and the commercial provider to enable the provision of a transacted service or product;

wherein the host transaction engine has enabling means to electronically enable the provision of the transacted service or product by the commercial provider in response to confirmation of the customer paying for the same; and

said host transaction means has paying means to electronically account for an distribute prescribed portions of funds to the commercial provider, the merchant and the business broker in accordance with predetermined contractual arrangements with these parties.

~~A system according to claim 19 or claim 20, where the host transaction engine also provides for an electronic transfer of funds from the payment system in response to a transaction in relation to the provision of a commercial provider's service or product.~~

22. (currently amended) A system according to claim 21, where the terminal device is one of: EFT terminal; mobile telephone; personal digital assistant.

~~A system according to any one of claims 19 to 21, where primary payment for the provision of the service or product transacted is effected directly between the terminal device of the merchant and the payment system and wherein the host transaction engine effects subsequent payment of the commercial provider and the terminal owner.~~

23. (currently amended) A system according to claim 21, where the host transaction engine also provides for an electronic transfer of funds from the payment system in response to a transaction in relation to the provision of a commercial provider's service or product.

~~A system according to any one of claims 19 to 22, further comprising a payment system server connected to the host transaction engine, the payment system server providing for an electronic transfer of funds from the payment system in response to~~

~~a transaction in relation to the provision of a service or product communication between the EFT terminal and the host transaction engine, and between the host transaction engine and the payment system, as authorised by the payment system.~~

24. (currently amended) A system according to claim 21, where primary payment for the provision of the service or product transacted is effected directly between the terminal device of the merchant and the payment system and wherein the host transaction engine effects subsequent payment of the commercial provider and the terminal owner.
A host transaction engine comprising:

~~a process automation engine; and~~

~~at least one adapter for receiving a message;~~

~~where the at least one adapter translates the message into a format able to be processed by the process automation engine and the process automation engine processes the message in accordance with a predetermined process model.~~

25. (currently amended) A system according to claim 21, further comprising a payment system server connected to the host transaction engine, the payment system server providing for an electronic transfer of funds from the payment system in response to a transaction in relation to the provision of a service or product communication between the EFT terminal and the host transaction engine, and between the host transaction engine and the payment system, as authorised by the payment system.

~~A method for electronically transacting a trade between a commercial provider and a customer of a merchant substantially as herein described with reference to the accompanying drawings as appropriate.~~

26. (currently amended) A host transaction engine comprising:
a process automation engine; and

• at least one adapter for receiving a message;

where the at least one adapter translates the message into a format able to be processed by the process automation engine and the process automation engine processes the message in accordance with a predetermined process model.

~~A system for electronically transacting a trade substantially as herein described with reference to the accompanying drawings as appropriate.~~